

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT**

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

Permit No. MO-0119202

Owner: Burlington Northern & Sante Fe Railway Co.  
Address: 920 S.E. Quincy, Topeka, KS 66612-1116

Continuing Authority: Same as above  
Address: Same as above

Facility Name: Burlington-Cherryville  
Facility Address: State Highway 19, Cherryville, MO 65446

Legal Description: See page 2

Receiving Stream: Unnamed Tributary to Cherry Valley Creek (U)  
First Classified Stream and ID: Cherry Valley Creek (C)(01906)  
USGS Basin & Sub-watershed No.: (07140102-030005)

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

**FACILITY DESCRIPTION**

See page 2

This permit authorizes only wastewater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

April 5, 2002  
Effective Date

April 4, 2007  
Expiration Date  
MO 780-0041 (10-93)

  
Stephen M. Manfred, Director, Department of Natural Resources  
Executive Secretary, Clean Water Commission

Interim Director of Staff, Clean Water Commission

FACILITY DESCRIPTION (continued)

Outfall #001

Stormwater runoff from former waste pile areas located at east side of east tributary.  
Entire site has Major SIC #4011.  
Legal Description: NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Sec. 8, T36N, R3W, Crawford County.

Outfall #002

Stormwater runoff from former waste pile areas located at west side of east tributary.  
Legal Description: NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Sec. 8, T36N, R3W, Crawford County.

Outfall #003

Stormwater runoff from former waste pile areas located at east side of creek.  
Design flow is 0.3 MGD.  
Actual flow is dependent upon precipitation.  
Legal Description: SE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Sec. 5, T36N, R3W, Crawford County.

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PAGE NUMBER 3 of 5	
					PERMIT NUMBER MO-0119202	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfalls #001, #002 &amp; #003</u>						
Flow	MGD	*		*	once/quarter**	24 hr. estimate
pH - Units	SU	***		***	once/quarter**	grab****
Settleable Solids	mL/L/hr	1.5		1.0	once/quarter**	grab****
Lead, Total Recoverable	µg/L	190		190	once/quarter**	grab****
Cadmium, Total Recoverable	µg/L	72		72	once/quarter**	grab****
Copper, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Polychlorinated Biphenyls (PCB's)	µg/L	*****		*****	once/quarter**	grab****
Polynuclear Aromatic Hydrocarbons (PAH's)	µg/L	*		*	once/quarter**	grab****
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>July 28, 2002</u> .						
<u>Outfalls #001, #002 &amp; #003</u>						
Appendix D (Note 1)	mg/L	*		*	once/5 years	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ONCE/5 YEARS</u> ; THE FIRST REPORT IS DUE <u>October 28, 2004</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

MO 780-0010 (8/91)

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)**

- \* Monitoring requirement only.
- \*\* Monitoring reports shall be submitted quarterly.
- \*\*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.
- \*\*\*\* A representative grab sample shall be collected during a rainfall that results in a discharge.
- \*\*\*\*\* There shall be no release of PCB's to Waters of the State at or above the level of quantification currently defined as 0.5 µg/L or 0.5 ppb.

Note 1 - Test for all chemicals listed in 40 CFR, Part 122, Appendix D, Tables II, III, IV, and V.

Instream sampling

In-stream grab sampling shall be conducted concurrently with outfall monitoring, at Highway 19 crossing of Cherry Valley Creek (SW, S32, 37N, 3W, Crawford County), for lead, copper, cadmium, and PCB's.

### C. SPECIAL CONDITIONS

Note: These requirements do not supercede nor remove liability for compliance with county and other local ordinances.

1. Report as no-discharge when a discharge does not occur during the report period.
2. General Criteria. The following water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
  - (a) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
  - (b) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
  - (c) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
  - (d) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
  - (e) There shall be no significant human health hazard from incidental contact with the water;
  - (f) There shall be no acute toxicity to livestock or wildlife watering;
  - (g) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
  - (h) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
3. Permittee shall designate an individual as responsible for environmental matters, and provide for monthly inspection by facility staff of any structures that function to prevent pollution from storm water or to remove pollutants from storm water and of the facility in general to ensure that any Best Management Practices are continually implemented and effective. Records of inspections must be kept and made available to DNR upon request.
4. Reporting of Effluent Violations
 

If any of the sampling results from any of the outfalls show any violation of the permit discharge limitations, written notification shall be made to the Department of Natural Resources within five (5) days of notification of analytical results. Notification shall indicate the date(s) of sample collection, the analytical results, and permit number, and shall include a statement concerning the revisions or modifications in management practices that are being implemented to address the violation of the limitations that occurred.
5. Records Retention and Reporting
 

Monitoring reports shall be submitted within 28 days after the end of each quarter of the year as required by the permit. All sampling data shall be maintained by the permittee for a period of five (5) years and shall be supplied to the Department of Natural Resources upon written request (supercedes Part I, Section A: D. Records Retention). A copy of all of the sampling data must be submitted with an application for reissuance of this permit.

C. SPECIAL CONDITIONS (continued)

6. This permit may be reopened and modified, or alternatively revoked and reissued, to:
  - (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
    - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
    - (2) controls any pollutant not limited in the permit.
  - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
  - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

7. All outfalls must be clearly marked in the field.

8. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
  - (1) One hundred micrograms per liter (100 µg/L);
  - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
  - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
  - (4) The level established in Part A of the permit by the Director.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.